

UNITED STATES DISTRICT COURT
for the

Southern District of Georgia
Statesboro Division

United States of America

v

Donald Whitehead

Date of Previous Judgment: December 7, 2005

(Use Date of Last Amended Judgment if Applicable)



Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 29

Amended Offense Level: 29

Criminal History Category:

Criminal History Category: VI

Previous Guideline Range: 151 to 188 months

Amended Guideline Range: 151 to 188 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

The reduced sentence is within the amended guideline range.

The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

III. ADDITIONAL COMMENTS

The Court notes that this defendant is a career offender, pursuant to U.S.S.G. § 4B1.1. The amendment to the crack cocaine guideline does not impact this defendant's guideline computations for that reason.

Except as provided above, all provisions of the judgment dated _____ shall remain in effect.

IT IS SO ORDERED.

Order Date: 9-9-2008

Effective Date:

(if different from order date)

B. Avant Edenfield
United States District Judge
For the Southern District of Georgia

Printed name and title